

**ENTERED**

December 18, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

ROMERO BROWN,	§	
	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO. 2:20-CV-277
	§	
TEXAS BOARD OF PARDONS AND	§	
PAROLES,	§	
	§	
Respondent.	§	

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

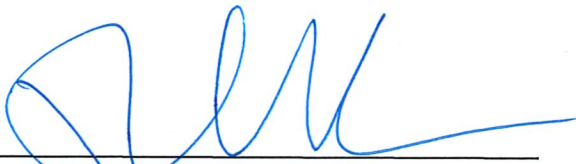
Before the Court is Magistrate Judge Jason Libby's Memorandum and Recommendation ("M&R"). (D.E. 5). The M&R recommends that the Court construe Petitioner Romero Brown's ("Petitioner") petition as one under 28 U.S.C. § 2254 because Petitioner is attacking the underlying Texas mandatory supervision and parole statutes and how each applies to sentences. The M&R further recommends that the Court dismiss the case prior to service pursuant to the screening provisions of Rule 4 of the Rules Governing Section 2254 Cases because, after review of the petition and attached exhibits, Petitioner is not entitled to relief. *Id.* at 1–2, n.1; *Malchi v. Thaler*, 211 F.3d 953, 959 (5th Cir. 2000).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. Petitioner timely filed objections to the M&R. (D.E. 7). Having carefully reviewed the proposed findings and conclusions of the M&R, the record, the applicable law, and having made a de novo review of the portions of the M&R to which

Petitioner's objections were directed, 28 U.S.C. § 636(b)(1), the Court **OVERRULES** Petitioner's objections. (D.E. 7). Accordingly, the Court:

- (1) **ADOPTS** the M&R in its entirety. (D.E. 5).
- (2) **DISMISSES** the case in its entirety.

SO ORDERED.



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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas  
December 17, 2020